

AN ACT

ENTITLED, An Act to revise certain provisions concerning statements submitted by organizations making contributions to ballot questions committees.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 12-27-19 be amended to read as follows:

12-27-19. Before making a contribution to a ballot question committee pursuant to § 12-27-18, an organization shall provide to the ballot question committee the following:

- (1) A statement that the organization is filed as a domestic or foreign entity in good standing with the Office of the Secretary of State of this state;
- (2) A statement that the organization is filed as an entity in good standing with another jurisdiction, and setting forth the following:
 - (a) The name of the organization;
 - (b) The name of the state or nation under whose law the organization is incorporated or organized; and
 - (c) The street address of the organization's principal office; or
- (3) If neither of the above apply, a statement providing:
 - (a) The name of the organization;
 - (b) The street address of the organization's principal office;
 - (c) The name and street address of the person authorizing the contribution; and
 - (d) The name and street address of every owner, director, and officer of the organization.

Before contributing more than ten thousand dollars in the aggregate to a ballot question committee pursuant to § 12-27-18, an organization shall provide to the ballot question committee a sworn written statement made by the president and treasurer of the organization declaring and

affirming, under the penalty of perjury, the following:

- (1) The name and street address of every person who owns ten percent or more of the organization, has provided ten percent or more of the organization's gross receipts, including capital contributions, in the current or preceding year, or has provided ten percent or more of the funds being contributed to the ballot question committee; and
- (2) That no part of the contribution was raised or collected by the organization for the purpose of influencing the ballot question.

A ballot question committee shall disclose in its applicable campaign financial disclosure statement or supplement statement all information received from an organization pursuant to this section. No ballot question committee may accept any contribution from an organization not preceded or accompanied by the statements required by this section. Except as provided by § 22-29-1, violation of this section is a Class 1 misdemeanor.

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I certify that the attached Act
originated in the

SENATE as Bill No. 180

Secretary of the Senate
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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 180
File No. _____
Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor
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The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor
=====

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State